

**Proposed Amendments to 310 CMR 4.00**

**Timely Action Schedule and Fee Provisions**

**6-23-06**

## **Initial Index of Proposed Amendments to 310 CMR 4.00**

page	section	category	description of change
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### **Annual Compliance Assurance Fees effective October 20, 2006**

74	4.03(2) Table	ERP	Photo Processor Certifier discharger - clarify text to exclude MWRA
74	4.03(2) Table	ERP	Photo Processor Certifier discharger - clarify text to add MWRA
75	4.03(2) Table	IWW	Sewer discharger to approved POTW - delete category
75	4.03(2) Table	IWW	Sewer Discharger, All other - delete category
75	4.03(2) Table	IWW	Sewer Discharger - add category \$175
76	4.03(2) Table	WP	Sewer Discharger - delete category

### **Schedule for Timely Action and Permit Application Fees effective October 20, 2006**

114	4.10(5)	IWW	Delete SIC code text to narrow application from all IWW permits to only Groundwater and Surface Water permits
115	4.10(5)	IWW	Add SIC code text after Groundwater Discharge heading
119	4.10(5)	IWW	Add SIC code text after Surface Water Discharge heading
130.4	4.10(7)	WP	Delete SIC code text to narrow application from all WP permits to only Groundwater permits
130.8	4.10(7)	WP	Add SIC code text after Groundwater Discharge heading
132	4.10(7)(p)	WP13	Major Sewer Extension – Delete category
133	4.10(7)(q)	WP14	Minor Sewer Extension – Delete category
133	4.10(7)(r)	WP17	Major Sewer Connection – Delete category
133	4.10(7)(s)	WP18	Minor Sewer Connection – Delete category
134	4.10(7)(t)	WP55	Industrial Sewer Extension – Delete category
134	4.10(7)(u)	WP69	Sewer Extension 1000 feet and over – add permit category with presumptive approval, 30-45-90-45 review period, \$ 2545
134	4.10(7) (v)	WP70	Sewer Extension under 1000 feet– add certification category with presumptive approval 60-90-60 review period, \$ 410
134	4.10(7) (w)	WP71	Sewer Connection – add certification category with presumptive approval 60-90-60 review period, \$ 410
134	4.10(7) (x)	WP72	Sewer Connection – add permit category with presumptive approval for over 50,000 gpd and more than 5% of POTW permitted flow, 30-45-90-45 review period, \$1,310

6/23/06

## Initial Highlight/Strikeout of Proposed Amendments to 310 CMR 4.00

### Regulation page 74

4.03(2) Table ENVIRONMENTAL RESULTS PROGRAM

- \$175 Photo Processor Certifier required pursuant to 310 CMR 70.00 who discharges to a publicly owned treatment works facility excluding a discharger to the Massachusetts Water Resources Authority to POTW approved to administer permits under 310 CMR 7.16, effective October 20, 2006 June 27, 2003
- \$50 Photo Processor Certifier required pursuant to 310 CMR 70.00, who discharges to the Massachusetts Water Resources Authority to POTW approved to administer permits under 310 CMR 7.16, effective October 20, 2006 June 27, 2003

### Regulation page 75

4.03(2) Table INDUSTRIAL WASTEWATER

#### Sewer Connections

- ~~\$70 Discharger to POTW approved to administer permits under 314 CMR 7.16 excluding dry cleaner, photo processor, printer certifiers pursuant to 310 CMR 70.00, effective June 27, 2003~~
- ~~\$175 All Other Sewer Users excluding dry cleaner, photo processor, printer certifiers pursuant to 310 CMR 70.00, effective June 27, 2003~~
- \$175 Department permitted sewer dischargers pursuant to 314 CMR 7.00, excluding dry cleaner, photo processor, printer, and dental certifiers pursuant to 310 CMR 70.00, effective October 20, 2006

### Regulation page 76

4.03(2) Table WATER POLLUTION CONTROL

#### Sewer Connections

~~\$175—Sewer connections for large industrial discharges and discharges (permit BRPWP55) and discharges for 310 CMR 40.0000 reclamation, effective June 27, 2003~~

## Regulation page 114

### (5) Bureau of Waste Prevention - Industrial Wastewater.

~~Facilities with a discharge requiring a permit pursuant to M.G.L. c. 21, § 43 or § 27 which are classified by the following Standard Industrial Classification (SIC) codes:~~

- ~~1000-1399—Metal Mining, Coal Mining, Oil and Gas Exploration~~
- ~~1474-1499—Chemical/Fertilizer Mining, Nonmetallic Minerals~~
- ~~2000-3999—Manufacturing~~
- ~~4231—Maintenance Facilities for Motor Freight Transport~~
- ~~4581—Airports, Flying Fields and Airport Terminal Service~~
- ~~4911-4939—Electric and Gas Production~~
- ~~4953—Refuse Systems~~
- ~~7216—Drycleaning (except rug cleaning)~~
- ~~7217—Carpet and Upholstery Cleaning~~
- ~~7218—Industrial Laundries~~
- ~~7384—Photofinishing Laboratories~~
- ~~7532-7539—Automotive Repair Shops and Paint Shops~~
- ~~7549—Automotive Services~~
- ~~7819—Motion Picture Developing/Printing/Film Processing~~
- ~~8062-8069—Hospitals~~
- ~~8071—Medical Laboratories~~
- ~~8072—Dental Laboratories~~
- ~~8731—Commercial Physical and Biological Research~~
- ~~—Remedial discharges under M.G.L. c. 21E at any active facility falling in one or more of the above SIC Code categories~~

~~shall use applicable permit categories of 310 CMR 4.10(5), UNLESS discharges are solely non-contact cooling water, stormwater, construction dewatering, sewage, remedial actions pursuant to M.G.L. c. 21E at inactive facilities or any combination thereof, in which case, permits for discharge from these facilities shall use the permit categories of 310 CMR 4.10(7) of the Bureau of Resource Protection—Water Pollution Control or 310 CMR 4.10(6) Watershed Management for NPDES permits only, effective November 30, 1994. FACILITIES WITH A DISCHARGE REQUIRING A PERMIT THAT ARE NOT CLASSIFIED BY THE ABOVE SIC CODES SHALL USE APPLICABLE CATEGORIES SPECIFIED AT 310 CMR 4.10(7) or 310 CMR 4.10(6) Watershed Management.~~

## Regulation page 115

### Groundwater Discharges

Facilities with a discharge requiring a permit pursuant to M.G.L. c. 21, § 43 or § 27 which are classified by the following Standard Industrial Classification (SIC) codes:

- 1000-1399 Metal Mining, Coal Mining, Oil and Gas Exploration

1474-1499	Chemical/Fertilizer Mining, Nonmetallic Minerals
2000-3999	Manufacturing
4231	Maintenance Facilities for Motor Freight Transport
4581	Airports, Flying Fields and Airport Terminal Service
4911-4939	Electric and Gas Production
4953	Refuse Systems
7216	Drycleaning (except rug cleaning)
7217	Carpet and Upholstery Cleaning
7218	Industrial Laundries
7384	Photofinishing Laboratories
7532-7539	Automotive Repair Shops and Paint Shops
7549	Automotive Services
7819	Motion Picture Developing/Printing/Film Processing
8062-8069	Hospitals
8071	Medical Laboratories
8072	Dental Laboratories
8731	Commercial Physical and Biological Research

Remedial discharges under M.G.L. c. 21E at any active facility falling in one or more of the above SIC Code categories shall use applicable permit categories of 310 CMR 4.10(5), UNLESS discharges are solely non-contact cooling water, stormwater, construction dewatering, sewage, remedial actions pursuant to M.G.L. c. 21E at inactive facilities or any combination thereof, in which case, permits for discharge from these facilities shall use the permit categories of 310 CMR 4.10(7) of the Bureau of Resource Protection - Water Pollution Control or 310 CMR 4.10(6) Watershed Management for NPDES permits only, effective November 30, 1994. FACILITIES WITH A DISCHARGE REQUIRING A PERMIT THAT ARE NOT CLASSIFIED BY THE ABOVE SIC CODES SHALL USE APPLICABLE CATEGORIES SPECIFIED AT 310 CMR 4.10(7) or 310 CMR 4.10(6) Watershed Management.

## Regulation page 119

### Surface Water Discharges (NPDES)

Facilities with a discharge requiring a permit pursuant to M.G.L. c. 21, § 43 or § 27 which are classified by the following Standard Industrial Classification (SIC) codes:

1000-1399	Metal Mining, Coal Mining, Oil and Gas Exploration
1474-1499	Chemical/Fertilizer Mining, Nonmetallic Minerals
2000-3999	Manufacturing
4231	Maintenance Facilities for Motor Freight Transport
4581	Airports, Flying Fields and Airport Terminal Service
4911-4939	Electric and Gas Production
4953	Refuse Systems
7216	Drycleaning (except rug cleaning)
7217	Carpet and Upholstery Cleaning
7218	Industrial Laundries
7384	Photofinishing Laboratories
7532-7539	Automotive Repair Shops and Paint Shops

7549	Automotive Services
7819	Motion Picture Developing/Printing/Film Processing
8062-8069	Hospitals
8071	Medical Laboratories
8072	Dental Laboratories
8731	Commercial Physical and Biological Research

Remedial discharges under M.G.L. c. 21E at any active facility falling in one or more of the above SIC Code categories shall use applicable permit categories of 310 CMR 4.10(5), UNLESS discharges are solely non-contact cooling water, stormwater, construction dewatering, sewage, remedial actions pursuant to M.G.L. c. 21E at inactive facilities or any combination thereof, in which case, permits for discharge from these facilities shall use the permit categories of 310 CMR 4.10(7) of the Bureau of Resource Protection - Water Pollution Control or 310 CMR 4.10(6) Watershed Management for NPDES permits only, effective November 30, 1994. FACILITIES WITH A DISCHARGE REQUIRING A PERMIT THAT ARE NOT CLASSIFIED BY THE ABOVE SIC CODES SHALL USE APPLICABLE CATEGORIES SPECIFIED AT 310 CMR 4.10(7) or 310 CMR 4.10(6) Watershed Management.

## Regulation page 130.4

### (6) Bureau of Resource Protection - Water Pollution Control.

~~Facilities with a discharge requiring a permit pursuant to M.G.L. c. 21, §§ 43 or 27, and regulations issued thereunder AND which are classified by the following Standard Industrial Classification (SIC) Codes:~~

- ~~1000-1399 Metal Mining, Coal Mining, Oil and Gas Exploration~~
- ~~1474-1499 Chemical/Fertilizer Mining, Nonmetallic Minerals~~
- ~~2000-3999 Manufacturing~~
- ~~4231 Maintenance Facilities for Motor Freight Transport~~
- ~~4581 Airports, Flying Fields and Airport Terminal Service~~
- ~~4911-4939 Electric and Gas Production~~
- ~~4953 Refuse Systems~~
- ~~7216 Drycleaning (except rug cleaning)~~
- ~~7217 Carpet and Upholstery Cleaning~~
- ~~7218 Industrial Laundries~~
- ~~7384 Photofinishing Laboratories~~
- ~~7532-7539 Automotive Repair Shops and Paint Shops~~
- ~~7549 Automotive Services~~
- ~~7819 Motion Picture Developing/Printing/Film Processing~~
- ~~8062-8069 Hospitals~~
- ~~8071 Medical Laboratories~~
- ~~8072 Dental Laboratories~~
- ~~8731 Commercial Physical and Biological Research~~

~~Remedial discharges under M.G.L. c. 21E at any active facility falling in one or more of the above SIC Code categories.~~

~~shall use applicable permit categories of 310 CMR 4.10(7), ONLY IF: discharges are solely non-contact cooling water, stormwater, construction dewatering, sewage, remedial actions~~

~~pursuant to M.G.L. c. 21E at inactive facilities or any combination thereof. FACILITIES WITH A DISCHARGE REQUIRING A PERMIT THAT ARE NOT CLASSIFIED BY THE ABOVE STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODES SHALL USE THE APPLICABLE CATEGORIES SPECIFIED IN 310 CMR 4.10(7). All other permits for discharge shall use the applicable categories specified at 310 CMR 4.10(5) of the Bureau of Waste Prevention - Industrial Wastewater.~~

## Regulation page 130.8

### Groundwater Discharges

Facilities with a discharge requiring a permit pursuant to M.G.L. c. 21, §§ 43 or 27, and regulations issued thereunder AND which are classified by the following Standard Industrial Classification (SIC) Codes:

1000-1399	Metal Mining, Coal Mining, Oil and Gas Exploration
1474-1499	Chemical/Fertilizer Mining, Nonmetallic Minerals
2000-3999	Manufacturing
4231	Maintenance Facilities for Motor Freight Transport
4581	Airports, Flying Fields and Airport Terminal Service
4911-4939	Electric and Gas Production
4953	Refuse Systems
7216	Drycleaning (except rug cleaning)
7217	Carpet and Upholstery Cleaning
7218	Industrial Laundries
7384	Photofinishing Laboratories
7532-7539	Automotive Repair Shops and Paint Shops
7549	Automotive Services
7819	Motion Picture Developing/Printing/Film Processing
8062-8069	Hospitals
8071	Medical Laboratories
8072	Dental Laboratories
8731	Commercial Physical and Biological Research

Remedial discharges under M.G.L. c. 21E at any active facility falling in one or more of the above SIC Code categories shall use applicable permit categories of 310 CMR 4.10(7), ONLY IF: discharges are solely non-contact cooling water, stormwater, construction dewatering, sewage, remedial actions pursuant to M.G.L. c. 21E at inactive facilities or any combination thereof. FACILITIES WITH A DISCHARGE REQUIRING A PERMIT THAT ARE NOT CLASSIFIED BY THE ABOVE STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODES SHALL USE THE APPLICABLE CATEGORIES SPECIFIED IN 310 CMR 4.10(7). All other permits for discharge shall use the applicable categories specified at 310 CMR 4.10(5) of the Bureau of Waste Prevention - Industrial Wastewater.

## Regulation page 132

### Sewer Connections/Extensions

~~(p) (BRPWP13) Permits for water pollution control: sewer connections/extensions~~

- ~~1. Category: major sewer extension.~~
- ~~2. Description: permit pursuant to 314 CMR 7.00 for extension of sewer of greater than 2,500 feet or any extension with a pump station.~~
- ~~3. Schedule for timely action: for projects for which applications are filed and fees received on or after June 27, 2003,~~
  - ~~a. Within 30 days of receipt of an application and payment of the permit application fee, the Department shall complete an administrative completeness review.~~
  - ~~b. Within 120 days of making a determination of administrative completeness, the Department shall complete a technical review.~~
  - ~~c. The permit applicant may remedy identified deficiencies within 180 days of the Department's statement identifying deficiencies, if any.~~
  - ~~d. Within 120 days of receipt of materials from the applicant in response to the Department's statement identifying deficiencies, the Department shall complete a supplemental technical review.~~
  - ~~e. Within 90 days of the close of the period for public comment, including any public hearing, the Department shall complete a public comment review.~~
- ~~4. Permit application fee: \$2,545~~

~~(q) (BRPWP14) Permits for water pollution control: sewer connections/extensions~~

- ~~1. Category: minor sewer extension; sewer connection with pump station.~~
- ~~2. Description: permit pursuant to 314 CMR 7.00 for extension of sewer of 2,500 feet or fewer; or a sewer connection with a pump station.~~
- ~~3. Schedule for timely action: for projects for which applications are filed and fees received on or after June 27, 2003,~~
  - ~~a. Within 30 days of receipt of an application and payment of the permit application fee, the Department shall complete an administrative completeness review.~~
  - ~~b. Within 90 days of making a determination of administrative completeness, the Department shall complete a technical review.~~
  - ~~c. The permit applicant may remedy identified deficiencies within 180 days of the Department's statement identifying deficiencies, if any.~~
  - ~~d. Within 90 days of receipt of materials from the applicant in response to the Department's statement identifying deficiencies, the Department shall complete a supplemental technical review.~~
  - ~~e. Within 90 days of the close of the period for public comment, including any public hearing, the Department shall complete a public comment review.~~
- ~~4. Permit application fee: \$615~~

~~(r) (BRPWP17) Permits for water pollution control: sewer connections/ extensions~~

- ~~1. Category: major sewer connection.~~
- ~~2. Description:~~
  - ~~a. Permit pursuant to 314 CMR 7.00 for sewer connection for discharges equal to or greater than 50,000 gallons per day~~



- ~~b. Sewer connection for discharges pursuant to 314 CMR 7.00 resulting from an M.G.L. c. 21E remediation project.~~
  - ~~3. Schedule for timely action: for projects for which applications are filed and fees received on or after June 27, 2003,~~
    - ~~a. Within 30 days of receipt of an application and payment of the permit application fee, the Department shall complete an administrative completeness review.~~
    - ~~b. Within 120 days of making a determination of administrative completeness, the Department shall complete a technical review.~~
    - ~~c. The permit applicant may remedy identified deficiencies within 180 days of the Department's statement identifying deficiencies, if any.~~
    - ~~d. Within 120 days of receipt of materials from the applicant in response to the Department's statement identifying deficiencies, the Department shall complete a supplemental technical review.~~
    - ~~e. Within 90 days of the close of the period for public comment, including any public hearing, the Department shall complete a public comment review.~~
  - ~~4. Permit application fee: \$1,315~~
- ~~(s) (BRPWP18) Permits for water pollution control: sewer connections/extensions.~~
- ~~1. Category: minor sewer connection.~~
  - ~~2. Description:~~
    - ~~a. Sewer connection pursuant to 314 CMR 7.00 for sewage discharge with a total design flow equal to or greater than 15,000 and less than 50,000 gallons per day or~~
    - ~~b. Sewer connection pursuant to 314 CMR 7.00 for industrial wastewater discharge permit, renewal or modification for total design flow of less than 15,000 gallons per day which is not resulting from a M.G.L. c. 21E remediation project.~~
  - ~~3. Schedule for timely action: for projects for which applications are filed and fees received on or after June 27, 2003,~~
    - ~~a. Within 30 days of receipt of an application and payment of the permit application fee, the Department shall complete an administrative completeness review.~~
    - ~~b. Within 90 days of making a determination of administrative completeness, the Department shall complete a technical review.~~
    - ~~c. The permit applicant may remedy identified deficiencies within 180 days of the Department's statement identifying deficiencies, if any.~~
    - ~~d. Within 90 days of receipt of materials from the applicant in response to the Department's statement identifying deficiencies, the Department shall complete a supplemental technical review.~~
    - ~~e. Within 90 days of the close of the period for public comment, including any public hearing, the Department shall complete a public comment review.~~
  - ~~4. Permit application fee: \$350~~
- ~~(t) (BRPWP55) Permits for water pollution control: sewer connections/extensions.~~
- ~~1. Category: large industrial wastewater sewer connection~~
  - ~~2. Description: Industrial wastewater sewer connection permit, renewal or modification pursuant to 314 CMR 2.00 or 314 CMR 7.00 for a total design flow equal to or greater than 15,000 gallons per day which is not resulting from a M.G.L. c. 21E remediation project.~~

~~3. Schedule for timely action: for projects for which applications are filed and fees received on or after June 27, 2003,~~

~~a. Within 30 days of receipt of an application and payment of the permit application fee, the Department shall complete an administrative completeness review.~~

~~b. Within 90 days of making a determination of administrative completeness, the Department shall complete a technical review.~~

~~c. The permit applicant may remedy any identified deficiencies within 180 days of the Department's statement identifying deficiencies, if any.~~

~~d. Within 90 days of receipt of materials from the applicant in response to the Department's statement identifying deficiencies, the Department shall complete a supplemental technical review and approve or disapprove the plan.~~

~~e. Within 90 days of the close of the period for public comment, including any public hearing, the Department shall complete a public comment review.~~

~~4. Permit application fee: \$965~~

(u) (BRPWP69) —reserved— Permits for water pollution control: sewer connections/extensions

1. Category: sewer extension equal to or greater than 1000 feet.

2. Description: permit pursuant to 314 CMR 7.03 and 7.09(5) for extension of sewer equal to or greater than 1,000 feet with presumptive approval.

3. Schedule for timely action: for projects for which applications are filed and fees received on or after October 20, 2006,

a. Within 30 days of receipt of an application and payment of the permit application fee, the Department shall complete an administrative completeness review.

b. Within 45 days of making a determination of administrative completeness, the Department shall complete a technical review.

c. The permit applicant may remedy identified deficiencies within 90 days of the Department's statement identifying deficiencies, if any.

d. Within 45 days of receipt of materials from the applicant in response to the Department's statement identifying deficiencies, the Department shall complete a supplemental technical review.

4. Permit application fee: \$2545

(v) (BRPWP70) Permits for water pollution control: sewer connections/extensions

1. Category: sewer extension certification for extensions less than 1000 feet.

2. Description: Certification pursuant to 314 CMR 7.05(1)(c)(5) and 314 CMR 7.17 for extension of sewer less than 1,000 feet with presumptive approval.

3. Schedule for timely action: for projects for which applications are filed and fees received on or after October 20, 2006,

a. Within 60 days of receipt of an application and payment of the permit application fee, the Department shall complete a technical review.

b. The permit applicant may remedy identified deficiencies within 90 days of the Department's statement identifying deficiencies, if any.

c. Within 60 days of receipt of materials from the applicant in response to the Department's statement identifying deficiencies, the Department shall complete a supplemental technical review.

4. Permit application fee: \$410

(w) (BRPWP71) Permits for water pollution control: sewer connections/extensions

1. Category: sewer connection certification.
2. Description: Certification pursuant to 314 CMR 7.05(1)(h)(1) and 314 CMR 7.17 for sanitary sewer connections with presumptive approval
3. Schedule for timely action: for projects for which applications are filed and fees received on or after October 20, 2006,
  - a. Within 60 days of receipt of an application and payment of the permit application fee, the Department shall complete a technical review.
  - b. The permit applicant may remedy identified deficiencies within 90 days of the Department's statement identifying deficiencies, if any.
  - c. Within 60 days of receipt of materials from the applicant in response to the Department's statement identifying deficiencies, the Department shall complete a supplemental technical review.
4. Permit application fee: \$410

(x) (BRPWP72) Permits for water pollution control: sewer connections/extensions

1. Category: sewer connection.
2. Description: Permit pursuant to 314 CMR 7.03 and 314 CMR 7.09(6) for new sewer connection or addition to an existing connection for discharges greater than 50,000 gallons per day and exceeds five percent of the receiving wastewater treatment facility's permitted flow with presumptive approval.
3. Schedule for timely action: for projects for which applications are filed and fees received on or after October 20, 2006,
  - a. Within 30 days of receipt of an application and payment of the permit application fee, the Department shall complete an administrative completeness review.
  - b. Within 45 days of making a determination of administrative completeness, the Department shall complete a technical review.
  - c. The permit applicant may remedy identified deficiencies within 90 days of the Department's statement identifying deficiencies, if any.
  - d. Within 45 days of receipt of materials from the applicant in response to the Department's statement identifying deficiencies, the Department shall complete a supplemental technical review.
4. Permit application fee: \$1,310